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UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.

Issued by the Department of Transportation on March 1, 2002

NOTICE OF ACTION TAKEN -- DOCKET OST-96-1346 - **8**  
DOCKET OST-97-2358 - **23**

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of United Air Lines, Inc. filed 2/7/02 to:

**XX** Renew for two years exemptions under 49 U.S.C. §40109 to provide the following services:

Docket OST-96-1346

Scheduled foreign air transportation of persons, property, and mail between a point or points in the United States, via intermediate points, and Manaus, Brasilia, Rio de Janeiro, Sao Paulo, Recife, Porto Alegre, Belem, Belo Horizonte, and Salvador, Brazil, and beyond Brazil to Argentina, Uruguay, Paraguay, and Chile.

Docket OST-97-2358

Scheduled foreign air transportation of persons, property, and mail on a code-share basis only between a point or points in the United States and Campo Grande, Curitiba, Fortaleza, Florianopolis, Iguacu, Sao Luiz, Joao Pessoa, Natal, Maceio, and Cuiaba, Brazil, and to serve these Brazilian points on a coterminal basis with the other Brazilian points United is authorized to serve pursuant to its exemption authority in Docket OST-96-1346.<sup>1</sup>

United seeks to renew both of the above-detailed exemption authorities for a minimum period of two years, or until the Department grants United's corresponding application for a certificate of public convenience and necessity in Docket OST-95-495.

Applicant rep: Jeffrey A. Manley, 202-663-6670 DOT analyst: Linda Senese 202-366-2367

DISPOSITION

**XX** Granted

The above action was effective when taken: March 1, 2002, through March 1, 2004, or until 90 days after final Department action on United's corresponding certificate application in Docket OST-95-495, whichever occurs earlier.<sup>2</sup>

Action taken by: **Paul L. Gretch, Director**  
**Office of International Aviation**

**XX** The authority granted is consistent with the aviation agreement between the United States and Brazil, as amended.

<sup>1</sup> United currently offers code-share services to Brazilian points under a code-share arrangement with Varig, S.A.

<sup>2</sup> United applied for renewal of two separately docketed exemptions in one application. For administrative convenience, United requests that the two exemption authorities have a common expiration date. We have granted United's request. United also requested that the two exemptions be consolidated into one docket. Here, however, we believe that administrative efficiency in our consideration of these authorities is better achieved by maintaining the authorities in separate dockets.

(See Reverse Side)

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Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated:

**XX Holder's certificates of public convenience and necessity**

**XX Standard exemption conditions (attached)**

**XX Statement of authorization approving the United/Varig code-share operations dated June 11, 1998, and conditions therein.**

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On the basis of data officially noticeable under Rule 24(g) of the Department's regulations, we found the applicant qualified to provide the services authorized.

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) grant of the exemption authority was consistent with the public interest; and (3) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted, we denied all requests in the referenced Dockets. We may amend, modify, or revoke the action taken in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR § 385.30, may file their petitions within seven (7) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:*

*[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)*

**Attachment**

**U.S. CARRIER**  
**Standard Exemption Conditions**

In the conduct of operations authorized by the attached notice, the applicant(s) shall:

- (1) Hold at all times effective operating authority from the government of each country served;
- (2) Comply with applicable requirements concerning oversales contained in 14 CFR 250 (for scheduled operations, if authorized);
- (3) Comply with the requirements for reporting data contained in 14 CFR 241;
- (4) Comply with requirements for minimum insurance coverage, and for certifying that coverage to the Department, contained in 14 CFR 205;
- (5) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (6) Comply with the applicable requirements of the Federal Aviation Administration Regulations, including all FAA requirements concerning security; and
- (7) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department of Transportation, with all applicable orders and regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

The authority granted shall be effective only during the period when the holder is in compliance with the conditions imposed above.